COURT NO.2

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No.2523 (M/B) of 2001

(OLD NO.48571 OF 2000)

Jagdish Prasad, S/o Shri Om Prakash,
R/o Village-Sherpur, P.O. Badshahpur, District-Sahranpur

…….. Petitioner

Versus

1. State of U.P. through Secretary, Basic Education, Uttar Pradesh at Lucknow
2. Director of Education (Basic), U.P. at Allahabad.
3. Jt. Director of Education, Sahranpur Region, Saharanpur.
4. District Basic Education Officer, Haridwar.
5. Accounts Officer, based at the Officer of District Basic Education Officer, Haridwar.
6. District Inspector of Schools, Haridwar.
7. Committee of Management, Nehru Inter College, Badshahpur, District-Haridwar through its Manager, Shri Sita Ram
8. Shri Rishi Pal Singh, S/o Shri Ratan Singh, Asstt. Teacher, Nehru Inter College, Badshahpur, District-Haridwar.

…….. Respondents

Shri S.S. Negi, learned counsel for the petitioner.
Shri Nanak Chand Gupta for the Respondent-State.
Shri Lalit Belwal, learned counsel for the Respondent No.8

Dated: 10.12.2004

Hon'ble P.C. Verma, J.

Heard, learned counsel for both the parties.

By means of this writ petition, the petitioner has prayed for a writ of certiorari to quash the proceedings dated 22.03.2000 undertaken by the respondents for making appointment to the post of Assistant Teachers for the purported exercise of powers in compliance of the U.P. Recognized Basic Schools (Junior High Schools, Recruitments and Conditions of Service of Teachers)

Rules, 1978 and further to quash the letter of approval dated 05.08.2000 issued by the District Basic Education Officer, Haridwar for granting approval to the selected candidate i.e. approval for appointment of Shri Rishipal Singh and further a writ of Mandamus has been sought requiring the Director of Education to enquire into the alleged conduct of the Committee of Management, Nehru Inter College, Badshahpur, District-Haridwar and Education Society who were involved in the alleged process of alleged selection for appointment of Shri Rishipal Singh.

Several allegations have been made relating to malpractices in the selection procedure, which have been denied in the counter affidavit. In support of documents in the counter affidavit, it has been stated that the selection has fairly been held.

The learned counsel for the Petitioner states that the representation of the Petitioners may be decided by the Director of Education. Let the representation be made to the Director of Education within a period of two weeks from today and Director of Education shall look into the representation and disposed of the same by a speaking order within a period of one month after giving opportunity to the respondents in the writ petition.

With the aforesaid observations, the petition is disposed of accordingly.

(P.C.Verma, J.)